Docket No.: 24061.126 (TSMC2003-0828)

Customer No.: 42717



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Grace Chung Shin Lin, et al. § Docket No.: 24061.126 / 2003-0828

§ Serial No.: 10/774,521 Examiner: **TBD** 

Filing Date: February 9, 2004 Art Unit: 3629

88888 Entitled: Method for Negotiations Using a Conf. No: 3200

Global Pricing System

## PETITION FOR FILING ON BEHALF OF NONSIGNING INVENTOR **PURSUANT TO 37 C.F.R § 1.47(a)**

Commissioner for Patents Mail Stop: Missing Parts P.O. Box 1450 Alexandria, VA 22313-1450

#### Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on August 9, 2004 for the above-identified application, the undersigned attorney for applicant hereby provides the following pertinent facts, in accordance with 37 C.F.R. § 1.47(a):

- 1. At the time of filing the application, all of the named inventors were full-time employees with Taiwan Semiconductor Manufacturing Company, Ltd ("TSMC"). Inventors, Grace Chung Shin Lin, has since left TSMC.
- 2. On September 15, 2004, a letter was sent to TSMC enclosing a Declaration and Assignment to obtain signatures from all of the named inventors.
- 3. Numerous reminder emails since October 2004 were sent to TSMC, as well as, the named inventors requesting the return of an executed Declaration and Assignment.
- 4. Applicants enclose herewith a copy of latest correspondence dated March 9, 2005 transmitting the application papers (specification, including claims, drawings and declaration) to Grace Lin. Also, enclosed is a copy of the mail certificate showing the cover letter and enclosures were sent via registered mail no. W759-2304-496.
- 5. Accordingly, Applicants submit that after a diligent effort, the inventors, Grace Shung Shin Lin and Peng Hseng Lin, refuses to sign or cannot be reached.
- 6. The last known address for Grace Shung Shin Lin is 4147 Briarwood Way, Palo Alto, CA 94306.
- 7. Applicants further submit that application be made by the signing inventors, on behalf of themselves and on behalf of the nonsigning inventors.

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9. A check for the fee payment totaling \$2420.00 (\$130.00 Surcharge for Missing Parts, \$2,160.00 for Petition for Five-Month Extension Fee and \$130.00 for Petition for Filing on Behalf of Nonsigning Inventor).

For the reasons set forth above, Applicants respectfully request that this Petition be granted and that the application be allowed to proceed with examination.

Respectfully submitted,

David M. O'Dell Reg. No. 42,044

Date: 3-9-05

HAYNES AND BOONE, LLP 901 Main Street, Suite 3100 Dallas, Texas 75202-3789 Telephone: 972-739-8638 IP Facsimile: 214-200-0853

Name

3-4-0

**CERTIFICATE OF MAILING** 

I hereby certify that this correspondence is being deposited with the

U.S. Postal Service as First Class Mail in an envelope addressed to Comissioner for Patents, Mail Stop: Missing Parts, P.O. Box 1450,

Alexandria, VA 22313-1450 on the date indicated below.

Date

## 台灣積體電路製造股份有限公司

Taiwan Semiconductor Manufacturing Company, Ltd.

300-77 新竹科學工業園區力行六路8號

8, Li-Hsin Rd. 6, Hsinchu Science Park, Hsin-Chu, Taiwan 300-77, R. O. C.

March 9, 2005

Ms. Grace Lin 4147 Briarwood Way Palo Alto, California 94306 USA

Mandy Liu
Intellectual Property Division / TSMC Legal

Subject:

MAR 1 4 2005

US patent Application Entitled "Method for Negotiations Using A

Global Pricing System"

TSMC Ref. No. 2003-0828

Dear Grace,

Enclosed for your review is a copy of the specification, including claims and drawings for the referenced application.

Once you have received the application, please execute the enclosed Declaration and Assignment. Please return the executed Declaration and Assignment to me as soon as possible for filing with U.S. Patent and Trademark Office.

Thank you for your cooperation.

Regards,

Mandy Liu

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